

	<b>ANDOVER POLICE DEPARTMENT GENERAL ORDER</b>		Number: O2114
			Page: 1 of 2
			Distribution: All
Title: USE OF INTERPRETERS		Section: Organization	
Issued: 08/30/2011	Effective: 09/07/2011	Revised: 09142022	
Rescinds: All Previous		Amends:	
CALEA References:			
KLEAP References:			
State/Federal Statutes: K.S.A. 75-4351, 75-4352, 75-4353, 75-4354			
Review: Annual	Authority: Chief Buck Buchanan		

## **I. Purpose**

The purpose of this General Order is to provide guidelines for the use of interpreters in accordance with KSA 75-4351 et seq.

## **II. Policy**

Officers will use the services of a qualified interpreter prior to any attempt to interrogate or take a statement from a person who has been arrested when the person's primary language is one other than English, or when the person is deaf, hard of hearing or speech impaired.

## **III. Definitions**

**(This section intentionally left blank).**

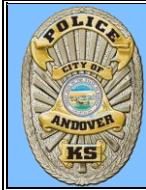
## **IV. Regulations**

**(This section intentionally left blank).**

## **V. Procedures**

### **A. Qualified Interpreters**

1. The Chief of Police or designee has the authority to appoint qualified persons to serve as an interpreter pursuant to KSA 75-4351 et seq.
2. No one shall serve as an interpreter for a person if such interpreter is married to that person, related to that person, living with that person or is otherwise interested in the outcome of the proceeding, unless the Chief of Police or designee determines no other qualified interpreter is available to serve.
3. No person shall be used as an interpreter until the Chief of Police or designee makes a preliminary determination that the interpreter is able to readily communicate with the person whose primary language is other than English and is able to accurately repeat and translate the statement of such person.
4. All interpreters should have the following additional qualifications:



## ANDOVER POLICE DEPARTMENT

### GENERAL ORDER

#### Title: USE OF INTERPRETERS

Number: O2114

Page: 2 of 2

Section: Organization

- a. A general understanding of cultural concepts, usage and expressions of the foreign language being interpreted, including the foreign language's varieties, dialects and accents;
- b. The ability to interpret and translate in a manner which reflects the educational level and understanding of the person whose primary language is other than English;
- c. Basic knowledge of legal rights of persons involved in law enforcement investigations; and
- d. Sound skills in written and oral communication between English and the foreign language being translated, including the qualified interpreter's ability to translate complex questions, answers and concepts in a timely, coherent and accurate manner.

5. The Chief of Police or designee will maintain a list of approved interpreters.

### **B. Oath and Disclosure**

1. Every interpreter who provides interpretation services for the department, other than licensed agencies contracted by the department, shall take an oath and complete an Interpreter Oath Form that such interpreter will make a true interpretation in an understandable manner to the person for whom such interpreter is appointed and that such interpreter will repeat the statements of such person in the English language to the best of such interpreter's skill and judgment (KSA 75-4354a),(APD Form 38).
2. An interpreter is a conduit for the communication and may not disclose or be compelled to disclose, through reporting, testimony or by subpoena, the contents of the communication (KSA 75-4354b).

### **C. Compensation**

1. The Chief of Police shall determine and fix a reasonable fee for the services of the interpreter whose services are provided to the department when appropriate.
2. At no time shall the fees for interpreter services be assessed against the person whose primary language is one other than English or who is deaf, hard of hearing or speech impaired (KSA 75-4352).